IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL W.P.NO.1674 OF 2002

Shri.Subhash Bhagwan Pawar ..Petitioner

Vs.

State of Maharashtra & Ors...Respondents

...

Mr.P.R.Dave (Absent) Advocate for petitioner
Mrs.A.S.Pai A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 12, 2006

P.C.

1. Heard. The petitioner has challenged the externment order dated 27th September, 2002 issued against him by Respondent No.3 i.e. Deputy Commissioner of Police, Zone-V, Mumbai. By the said order, the petitioner was externed for a period of six months from the areas mentioned in the order of externment.

2. It is seen that the externment order is dated 27th September, 2002. The said order was served on the petitioner on the very same day i.e. on 27th September, 2002. This Court granted Rule and

interim stay on 19th March, 2003 by that time the petitioner had already completed almost six months as externee. Almost three years have elapsed since then. Looking to the fact that the externment order is based on the activities of the year 2001, I am of the opinion that today no purpose would be achieved by continuing with the said proceedings. Hence, I am inclined to quash the said order of externment. It is made clear that if the recent activities of the petitioner are such that it necessitates the petitioner to be externed in such case, fresh notice may be given to the petitioner. Petition is disposed of. Rule is made absolute in above terms.

[SMT.V.K.TAHILRAMANI,J.]